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EXAMINER	
DICKERSON, CHAD S	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/733,296	SATO, JUNKO	
	Examiner	Art Unit	
	CHAD DICKERSON	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 May 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *13-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *13-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/5/2009 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 13-26 have been considered but are moot in view of the new ground(s) of rejection. The Amendment to the claims has necessitated a new ground(s) of rejection. However, the same reference of Iwata '666 is still being applied. When viewing the Applicant's arguments in the filed response on 11/4/2008, the Applicant alleged that the Iwata reference failed to disclose not setting another member printer of the plurality of member printers while setting up one member printer[1]. However, the Examiner respectfully disagrees with this assertion.

The Iwata ‘666 reference performs the function of including a setting item for a representative member printer of a plurality of member printers if one considers all printers connected to the host computer that is represented by a printer driver as

[1] See Applicant’s arguments filed 5/5/2009 on page 2.

member printers[2]. In this case, if one printer was set to a group (i.e. in figure 43) and this printer was adjusted in figure 39, only one printer that is considered as a member printer is adjusted since the printer set corresponds to a printer driver while other member printers that correspond to a printer driver are not changed because only one printer was in the group. Also, a printer can be in several groups. If a LP-100 printer is added to the group name 7th floor and to the monochrome laser printers and the LP-100 printer is modified within the group 7th floor in figure 39, only the printers in that group will be affected. Since only one printer was placed in that group, only one printer will be affected, while the printers in the monochrome laser group will not have any settings designated or changed for these devices even though the printer is also in this group[3].

Therefore, with the above explanation, the Examiner still believes that the newly added claim feature is taught by the Iwata '666 reference.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 13-17, 19-23, 25 and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Iwata '666 (US Pub No 2002/0163666).

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[2] Id. paragraph [0196].
[3] See Iwata '666 at figs. 39-43 and paragraphs [0373]-[0390].

Re claim 13: Iwata '666 discloses a control method in a printing control apparatus capable of executing printing processing of a predetermined output method using a plurality of member printers, said method comprising:

a first providing step of providing, when a virtual printer set to a first output method is designated (i.e. the user in the system is able to designate distributed printing in the system. This is considered as the first output method; see fig. 9; paragraphs [0194]-[0197]), a first user interface of the virtual printer by performing a conflict process of functions of the plurality of member printers (i.e. in the "Distributed Printing Properties" settings, the information that is accepted as input data describing the output of the image data is limited to the performance information of the respective printers. The performance information that is greater than the performance information of the printers is restricted from being chosen as an option. This is an example of the conflicting process since the performance information is being used to determine what paper size and other features are supported by the printers in the distributed printing option; see paragraphs [0178]-[0182] and [0225]-[0239]); and

a second providing step of providing, when the virtual printer set to a second output method is designated (i.e. in the system, when the user is designating the recovery printer in the system, this is an example of designating a second output method on the user interface; see figs. 5 and 6; see paragraphs [0198]-[0212]), a second user interface of the virtual printer without performing the conflict process (i.e. within the "Distribution Setting" dialogue box, the system is performing settings of the virtual printer selected in figure 5. At this point in selecting the recovery printer or

setting other printing options, the conflict process is not performed; see figs. 6, 32, 37 and 40; paragraphs [0198]-[0212] and [0367]-[0370]), the second user interface including a setting item for independently setting a representative member printer of the plurality of member printers (i.e. the Iwata '666 reference discloses selecting an alternate printer that is able to perform a second outputting method. When the "Distributed Settings" box is selected by the user, the user also is shown on the interface different options that will be performed on the device(s) chosen to output the print data. The options include "Copies", "Collate", "Job Grouping", etc. These are settings that will be set for the printer that performs the output. During the actions performed on figure 6, no conflicting process is performed on options on this dialogue box, which is different from the options in figure 9, and the user is able to select options that can be used on any outputting printer. Also, the Iwata '666 reference also performs the function of including a setting item for a representative member printer of a plurality of member printers if one considers all printers connected to the host computer that are represented by a printer driver as member printers. In the system of Iwata, a printer group can consists of one or multiple printers. If the user decreases the printer group to just one printer (i.e. LP-100 shown in figure 43) and the user sets the corresponding printer group as the entity that will perform the printing output, then the settings changed in CD1 of figure 6 or 32 performs the above feature; see figs. 5, 6 and 9, paragraphs [0196]-[0212]) and not for setting another member printer of the plurality of member printers (i.e. the Iwata '666 reference also performs the function of including a setting item for a representative member printer of a plurality of member printers if one

considers all printers connected to the host computer that are represented by a printer driver as member printers. In this case, if one printer was set to a group (i.e. in figure 43) and this printer was adjusted in figure 39, only one printer that is considered as a member printer is adjusted since the printer set corresponds to a printer driver while other member printers that correspond to a printer driver are not changed because only one printer was in the group. Also, a printer can be in several groups. If a LP-100 printer is added to the group name 7th floor and to the monochrome laser printers and the LP-100 printer is modified within the group 7th floor in figure 39, only the printers in that group will be affected. Since only one printer was placed in that group, only one printer will be affected, while the printers in the monochrome laser group will not have any settings designated or changed for these devices; see figs. 39-43, paragraphs [0373]-[0390]).

Re claim 14: The teachings of Iwata '666 are disclosed above.
Iwata '666 discloses the method according to claim 13, wherein the second output method comprises a redirect printing method system which automatically switches, when an error occurs in a printer to which a print job has been transmitted, to another printer of the plurality of member printers (i.e. in the system, the recovery option is used to transfer a job to another printer that is in error to another printer that may be of the same type or output method; see figs. 6, 32, 37 and 40; paragraphs [0198]-[[0212] and [0367]-[0370]).

Re claim 15: The teachings of Iwata '666 are disclosed above.

Iwata '666 discloses the method according to claim 13, wherein the first output method comprises a distributed printing method which distributes a print job to the plurality of member printers for pages (i.e. when the user has selected the distributed printing option, the pages are sent to a virtual printer driver that contains a plurality of printers. The system processes whether the printers that receive the intermediate data to render and print are different or identical types. The system then outputs the image data to each respective printer depending on the conclusion of the types of printers used in the distributing printing; see figs. 11-14; paragraphs [0243]-[0261]).

Re claim 16: The teachings of Iwata '666 are disclosed above.

Iwata '666 discloses the method according to claim 13, wherein the second user interface comprises a user interface of a printer driver of the representative member printer and a user interface of a printer driver of the virtual printer (i.e. shown in figure 5 is an example of a user interface that displays a printer driver of a printer that can be apart of a particular group and a virtual printer driver that represents a virtual printer; see fig. 5; paragraph [0198]).

Re claim 17: The teachings of Iwata '666 are disclosed above.

Iwata '666 discloses the method according to claim 13, wherein the user interface of the printer driver of the virtual printer in the second output method contains a setting item

for creating intermediate data (i.e. in the system, the information regarding the basic settings and the performance information of the respective printers represented by the virtual printer driver are all converted into print data for the virtual printer driver. The print data is then output to the HDD (41) as intermediate print data. The basic information regarding the printing and paper settings are converted into intermediate print data, and the printing and paper settings are considered as the setting items used for creating the intermediate data; see paragraphs [0231]-[0240]).

Re claim 19: Iwata '666 discloses a printing control apparatus capable of executing printing processing of a predetermined output method using a plurality of member printers, said apparatus comprising:

first providing means for providing, when a virtual printer set to a first output method is designated (i.e. the user in the system is able to designate distributed printing in the system. This is considered as the first output method; see fig. 9; paragraphs [0194]-[0197]), a first user interface of the virtual printer by performing a conflict process of functions of the plurality of member printers (i.e. in the “Distributed Printing Properties” settings, the information that is accepted as input data describing the output of the image data is limited to the performance information of the respective printers. The performance information that is greater than the performance information of the printers is restricted from being chosen as an option. This is an example of the conflicting process since the performance information is being used to determine what

paper size and other features are supported by the printers in the distributed printing option; see paragraphs [0178]-[0182] and [0225]-[0239]); and

second providing means for providing, when the virtual printer set to a second output method is designated (i.e. in the system, when the user is designating the recovery printer in the system, this is an example of designating a second output method on the user interface; see figs. 5 and 6; see paragraphs [0198]-[[0212]), a second user interface of the virtual printer without performing the conflict process (i.e. within the “Distribution Setting” dialogue box, the system is performing settings of the virtual printer selected in figure 5. At this point in selecting the recovery printer or setting other printing options, the conflict process is not performed; see figs. 6, 32, 37 and 40; paragraphs [0198]-[0212] and [0367]-[0370]), the second user interface including a setting item for independently setting a representative member printer of the plurality of member printers (i.e. the Iwata ’666 reference discloses selecting an alternate printer that is able to perform a second outputting method. When the “Distributed Settings” box is selected by the user, the user also is shown on the interface different options that will be performed on the device(s) chosen to output the print data. The options include “Copies”, “Collate”, "Job Grouping", etc. These are settings that will be set for the printer that performs the output. During the actions performed on figure 6, no conflicting process is performed on options on this dialogue box, which is different from the options in figure 9, and the user is able to select options that can be used on any outputting printer. Also, the Iwata ‘666 reference also performs the function of including a setting item for a representative member printer of a plurality

of member printers if one considers all printers connected to the host computer that are represented by a printer driver as member printers. In the system of Iwata, a printer group can consists of one or multiple printers. If the user decreases the printer group to just one printer (i.e. LP-100 shown in figure 43) and the user sets the corresponding printer group as the entity that will perform the printing output, then the settings changed in CD1 of figure 6 or 32 performs the above feature; see figs. 5, 6 and 9, paragraphs [0196]-[0212]) and not for setting another member printer of the plurality of member printers (i.e. the Iwata '666 reference also performs the function of including a setting item for a representative member printer of a plurality of member printers if one considers all printers connected to the host computer that are represented by a printer driver as member printers. In this case, if one printer was set to a group (i.e. in figure 43) and this printer was adjusted in figure 39, only one printer that is considered as a member printer is adjusted since the printer set corresponds to a printer driver while other member printers that correspond to a printer driver are not changed because only one printer was in the group. Also, a printer can be in several groups. If a LP-100 printer is added to the group name 7th floor and to the monochrome laser printers and the LP-100 printer is modified within the group 7th floor in figure 39, only the printers in that group will be affected. Since only one printer was placed in that group, only one printer will be affected, while the printers in the monochrome laser group will not have any settings designated or changed for these devices; see figs. 39-43, paragraphs [0373]-[0390]).

Re claim 20: The teachings of Iwata '666 are disclosed above.

Iwata '666 discloses the apparatus according to claim 19, wherein the second output method comprises a redirect printing method system which automatically switches, when an error occurs in a printer to which a print job has been transmitted, to another printer of the plurality of member printers (i.e. in the system, the recovery option is used to transfer a job to another printer that is in error to another printer that may be of the same type or output method; see figs. 6, 32, 37 and 40; paragraphs [0198]-[[0212] and [0367]-[0370]).

Re claim 21: The teachings of Iwata '666 are disclosed above.

Iwata '666 discloses the apparatus according to claim 19, wherein the first output method comprises a distributed printing method which distributes a print job to the plurality of member printers for pages (i.e. when the user has selected the distributed printing option, the pages are sent to a virtual printer driver that contains a plurality of printers. The system processes whether the printers that receive the intermediate data to render and print are different or identical types. The system then outputs the image data to each respective printer depending on the conclusion of the types of printers used in the distributing printing; see figs. 11-14; paragraphs [0243]-[0261]).

Re claim 22: The teachings of Iwata '666 are disclosed above.

Iwata '666 discloses the apparatus according to claim 19, wherein the second user interface comprises a user interface of a printer driver of the representative member

printer and a user interface of a printer driver of the virtual printer (i.e. shown in figure 5 is an example of a user interface that displays a printer driver of a printer that can be apart of a particular group and a virtual printer driver that represents a virtual printer; see fig. 5; paragraph [0198]).

Re claim 23: The teachings of Iwata '666 are disclosed above.
Iwata '666 discloses the apparatus according to claim 19, wherein the user interface of the printer driver of the virtual printer in the second output method contains a setting item for creating intermediate data (i.e. in the system, the information regarding the basic settings and the performance information of the respective printers represented by the virtual printer driver are all converted into print data for the virtual printer driver. The print data is then output to the HDD (41) as intermediate print data. The basic information regarding the printing and paper settings are converted into intermediate print data, and the printing and paper settings are considered as the setting items used for creating the intermediate data; see paragraphs [0231]-[0240]).

Re claim 25: The teachings of Iwata '666 are disclosed above.
Iwata '666 discloses a computer-readable storage medium having a computer-executable program stored thereon for effecting the method according to claim 13 (i.e. the processing of the invention of Iwata '666 is performed using a computer program stored on a medium to be executed; see paragraphs [0231]-[0233]).

Re claim 26: The teachings of Iwata '666 are disclosed above.

Iwata '666 discloses a computer-executable program stored on an apparatus-readable storage medium for effecting the method according to claim 13 (i.e. the processing of the invention of Iwata '666 is performed using a computer program stored on a medium to be executed; see paragraphs [0231]-[0233] and [0451]).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 18 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iwata '666 in view of Aritomi '751 (USP 7307751).

Re claim 18: The teachings of Iwata '666 are disclosed above.

Iwata '666 discloses the method according to claim 13, further comprising a designation step of issuing, to the member printer, a designation of converting a drawing instruction based on intermediate data created on the basis of application data (i.e. in the system, the intermediate data created from the basic printing information and performance information from the application (100) is now being sent to the printer drivers to render and to the printers to actually print the rendered documents. The drawing commands are used to express figures or images to be rendered; see paragraphs [0176]-[0186]).

However, Iwata '666 fails to specifically teach converting a drawing instruction into a predetermined page description language.

However, this is well known in the art as evidenced by Aritomi '751. Aritomi '751 discloses converting a drawing instruction into a predetermined page description language (i.e. like the invention of Iwata, the Aritomi reference has an information processing apparatus send information to a printing device (same field of endeavor). However, Aritomi '751 discloses an invention that allows the user to interact with an interface to choose how print data is to be rendered. Aritomi also involves converting data into an intermediate format similar to Iwata '666. Both systems involve a user using an interface with a printer driver to communicate with a connected printer. However, in step S1606, the printer driver receives a drawing function and spools the drawing function as intermediate data. The printer driver then sequentially performs PDL conversion of the spool data to generate print data; col. 12, ln 11-19).

Therefore, in view of Aritomi '751, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of converting a drawing instruction into a predetermined page description language in order to convert spool data, based on intermediate data, into PDL to generate print data (as stated in Aritomi '751 col. 12, ln 11-19).

Re claim 24: The teachings of Iwata '666 are disclosed above.
Iwata '666 discloses the apparatus according to claim 19, further comprising designation means for issuing, to the member printer, a designation of converting a drawing

instruction based on intermediate data created on the basis of application data (i.e. in the system, the intermediate data created from the basic printing information and performance information from the application (100) is now being sent to the printer drivers to render and to the printers to actually print the rendered documents. The drawing commands are used to express figures or images to be rendered; see paragraphs [0176]-[0186]).

However, Iwata '666 fails to specifically teach converting a drawing instruction into a predetermined page description language.

However, this is well known in the art as evidenced by Aritomi '751. Aritomi '751 discloses converting a drawing instruction into a predetermined page description language (i.e. like the invention of Iwata, the Aritomi reference has an information processing apparatus send information to a printing device (same field of endeavor). However, Aritomi '751 discloses an invention that allows the user to interact with an interface to choose how print data is to be rendered. Aritomi also involves converting data into an intermediate format similar to Iwata '666. Both systems involve a user using an interface with a printer driver to communicate with a connected printer. However, in step S1606, the printer driver receives a drawing function and spools the drawing function as intermediate data. The printer driver then sequentially performs PDL conversion of the spool data to generate print data; col. 12, ln 11-19).

Therefore, in view of Aritomi '751, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of converting a drawing instruction into a predetermined page description language in order to convert spool

data, based on intermediate data, into PDL to generate print data (as stated in Aritomi '751 col. 12, ln 11-19).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. Yacoub (USP 6552813) discloses directing print jobs in a network printing system.

9. Roosen (USP 7177040) discloses Remote printer control.

10. Iwata (US Pub 2002/0163665) discloses a system where the user can perform the same function of Iwata '666. Also, the feature of not performing a conflict process is shown in figure 32 when choosing an option that affects the paper settings and shows a feature of deactivating a printer in a printer group, while having the distribution settings dialogue box options only be applied to the selected printers (see figure 35).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAD DICKERSON whose telephone number is (571)270-1351. The examiner can normally be reached on 9:30-6:00pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Haskins can be reached on (571) 272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. D./
/Chad Dickerson/
Examiner, Art Unit 2625

/Twyler L. Haskins/
Supervisory Patent Examiner, Art Unit 2625